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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JOHNSON

Serial No.: 09/624,902

Filed: July 25, 2000

Atty. File No.: 5063-1-1

For: "PROVIDING A PRESENTATION
ON A NETWORK HAVING A
PLURALITY OF SYNCHRONIZED
MEDIA TYPES"

) Group Art Unit: 2154

) Examiner: LIN, Wen Tai

) REQUEST TO CORRECT
) INVENTORSHIP

) PURSUANT TO 37 CFR § 1.48(c)

) Express Mail Label: EL975240432

OFFICE OF PUBLIC RECORDS
2004 FEB 20 AM 10:52
FINANCE SECTION

Mail Stop: Assignment Recordation Services
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Request is being submitting to add an inventor in the above-identified patent application, pursuant to 37 CFR § 1.48(c). The application was originally filed with 5 claims naming Frank E. Johnson as the sole inventor. The addition of inventorship is necessitated by a response to an Office Action filed December 5, 2003, wherein new claims were entered that disclose subject matter for which Robert Ogdon is also an inventor. Accordingly, please add the following as an inventor of the application:

02/27/2004 CCHAU1 00000153 09624902

01 FC:1460

130.00 0P

Robert H. Ogdon
3 Golden Eagle Lane
Littleton, Colorado 80127

Attached are:

- (1) a statement from Robert H. Ogdon indicating that the error in inventorship occurred without deceptive intent on his part (37 CFR § 1.48(c)(2));
- (2) a declaration by each of the actual inventors, Frank E. Johnson and Robert H. Ogdon, as required by 37 CFR § 1.63 (37 CFR § 1.48(c)(3)); and
- (3) written consent from InterCall, Inc., the assignee of the present invention (37 CFR § 1.48(c)(5)).

Pursuant to 37 CFR § 1.17(i), a check in the amount of \$130.00 is enclosed (37 CFR § 1.48(c)(4)). The Commissioner is hereby authorized to charge our Deposit Account No. 19-1970 for any fee deficiencies associated with the filing of this paper.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Dennis J. Dupray

Registration No. 46,299

1560 Broadway, Suite 1200

Denver, Colorado 80202

(303) 863-2975

Date: Feb. 18, 2004

J:\5063\1\1\PTO\PTO-Req to Correct Inventorship.wpd



RULE 63 (37 CFR § 1.63)
SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor, together with Frank E. Johnson of 23859 McMullin Circle, Plainfield, Illinois 60544, Robert H. Ogdon of 3 Golden Eagle Lane, Littleton, Colorado 80127, of the subject matter which is claimed and for which a patent is sought on the invention entitled "PROVIDING A PRESENTATION ON A NETWORK HAVING A PLURALITY OF SYNCHRONIZED MEDIA TYPES", the specification of which has been prepared and filed on July 25, 2000, receiving Serial No. 09/624,902, and further identified as Attorney File No. 5063-1-1.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in accordance with 37 CFR 1.56(a) and (b) as set forth on the attached sheet indicated Page 3 hereof and which I have read.

I hereby claim the benefit under 35 U.S.C. 119(e)/120/365 of all United States and PCT international applications, including all United States provisional applications, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information material to patentability in accordance with 37 CFR 1.56(a) and (b) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status: patented, pending, abandoned</u> |
|-------------------------------|--------------------|---|
| 09/052,862 | March 31, 1998 | Patented; U.S. Pat. No. 6,161,137 |
| 60/041,770 | March 31, 1997 | Expired |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor's Signature Frank E. Johnson Date Feb 19, 2004

Inventor's Name (typed): Frank E. Johnson

Citizenship:

Residence: 23859 McMullin Circle
Plainfield, Illinois 60544

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(2) Inventor's Signature _____ Date _____

Inventor's Name (typed): Robert H. Ogdon

Citizenship:

Residence: 3 Golden Eagle Lane
Littleton, Colorado 80127

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

37 CFR §1.56(a) and (b)
DUTY TO DISCLOSE INFORMATION MATERIAL
TO PATENTABILITY

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

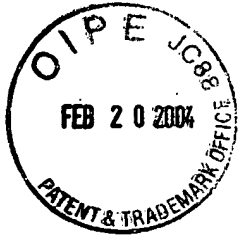
(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of a patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.*

*Note, 37 CFR §1.97(h) states: "The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b)."



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JOHNSON

Serial No.: 09/624,902

Filed: July 25, 2000

Atty. File No.: 5063-1-1

For: "PROVIDING A PRESENTATION
ON A NETWORK HAVING A
PLURALITY OF SYNCHRONIZED
MEDIA TYPES"

) Group Art Unit: 2154

) Examiner: LIN, Wen Tai

) STATEMENT OF NO
) DECEPTIVE INTENT

) PURSUANT TO 37 CFR § 1.48(c)

) Express Mail Label: EL975240432US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Robert H. Ogdon, having an address at 3 Golden Eagle Lane, Littleton, Colorado 80127,
hereby state as follows:

I believe I am an original, true and joint inventor of the subject matter claimed in
U.S. Patent Application Serial No. 09/624,902, filed July 25, 2000, entitled
"PROVIDING A PRESENTATION ON A NETWORK HAVING A PLURALITY
OF SYNCHRONIZED MEDIA TYPES" (the "APPLICATION" herein).

2. I was previously unnamed as an inventor of the APPLICATION on the original
Declaration. However, I believe I am now an inventor, and my addition as an
inventor is necessitated by amendment of the claims in the APPLICATION.
3. The error in inventorship occurred without deceptive intent on my part.

Date:

By:

Robert H. Ogdon
Robert H. Ogdon

**RULE 63 (37 CFR § 1.63)
SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor, together with Frank E. Johnson of 23859 McMullin Circle, Plainfield, Illinois 60544, Robert H. Ogdon of 3 Golden Eagle Lane, Littleton, Colorado 80127, of the subject matter which is claimed and for which a patent is sought on the invention entitled "PROVIDING A PRESENTATION ON A NETWORK HAVING A PLURALITY OF SYNCHRONIZED MEDIA TYPES", the specification of which has been prepared and filed on July 25, 2000, receiving Serial No. 09/624,902, and further identified as Attorney File No. 5063-1-1.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in accordance with 37 CFR 1.56(a) and (b) as set forth on the attached sheet indicated Page 3 hereof and which I have read.

I hereby claim the benefit under 35 U.S.C. 119(e)/120/365 of all United States and PCT international applications, including all United States provisional applications, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information material to patentability in accordance with 37 CFR 1.56(a) and (b) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status: patented pending abandoned</u> |
|-------------------------------|--------------------|--|
| 09/052,862 | March 31, 1998 | Patented; U.S. Pat. No. 6,161,137 |
| 60/041,770 | March 31, 1997 | Expired |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor's Signature _____ Date _____

Inventor's Name (typed): Frank E. Johnson

Citizenship:

Residence: 23859 McMullin Circle
Plainfield, Illinois 60544

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(2) Inventor's Signature Robert H. Ogdon Date 2/18/04

Inventor's Name (typed): Robert H. Ogdon

Citizenship:

Residence: 3 Golden Eagle Lane
Littleton, Colorado 80127

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

37 CFR §1.56(a) and (b)
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TO PATENTABILITY

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(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

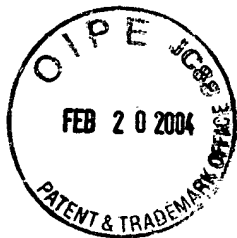
(2) It refutes, or is inconsistent with, a position the applicant takes in:

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(ii) Asserting an argument of a patentability.

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*Note, 37 CFR §1.97(h) states: "The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b)."



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|-------------------------------------|
| In Re the Application of: |) | Group Art Unit: 2154 |
| |) | |
| JOHNSON |) | Examiner: LIN, Wen Tai |
| |) | |
| Serial No.: 09/624,902 |) | <u>ASSENT BY ASSIGNEE</u> |
| |) | <u>TO CORRECT INVENTORSHIP</u> |
| Filed: July 25, 2000 |) | <u>PURSUANT TO 37 CFR § 1.48(c)</u> |
| |) | |
| Atty. File No.: 5063-1-1 |) | |
| |) | Express Mail Label: EL975240432US |
| For: "PROVIDING A PRESENTATION |) | |
| ON A NETWORK HAVING A |) | |
| PLURALITY OF SYNCHRONIZED |) | |
| MEDIA TYPES" |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

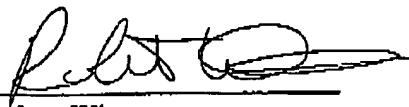
Dear Sir:

InterCall, Inc., having a place of business at 8420 West Bryn Mawr Avenue, Suite 400, Chicago, Illinois 60631, is the assignee of the above-identified application (see Reel 014218, Frame 0799 showing the chain of title from MSHOW.com to InterCall Web Conferencing, Inc. to InterCall, Inc.) The Assignment for the application was recorded on July 25, 2000 at Reel 011004, Frame 0120, in which named inventor Frank E. Johnson, assigned his rights in the invention to MSHOW.com. A separate Assignment (including the associated Recordation of Assignment Form) is attached hereto, by which added inventor Robert H. Ogdon, along with originally named inventor Frank E. Johnson, assigned his rights in the invention to InterCall, Inc.

Applicant hereby assents to the correction of inventorship filed herewith. A certificate under 37 C.F.R. § 3.73(b) is attached.

INTERCALL, INC.

Date: 2/26/04

By: 
Robert Wise
V.P. of Business Development

RECEIVED

OCT 11 2000

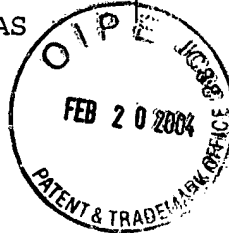


3654-1-1
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 05, 2000 SHERIDAN, ROSS

PTAS



101438420A

SHERIDAN ROSS P.C.
DENNIS J. DUPRAY, PH.D.
1560 BROADWAY, SUITE 1200
DENVER, COLORADO 80202-5141

UNITED STATES PATENT AND TRADEMARK OFFICE
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/25/2000

REEL/FRAME: 011004/0120
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
JOHNSON, FRANK E. ✓

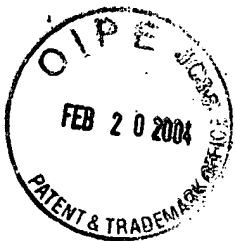
DOC DATE: 07/25/2000 ✓

ASSIGNEE:
MSHOW.COM ✓
1745 SHEY CENTER DRIVE
HIGHLANDS RANCH, COLORADO 80129

SERIAL NUMBER: 09624902 ✓
PATENT NUMBER:

FILING DATE: 07/25/2000 ✓
ISSUE DATE:

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



UNITED STATES PATENT AND TRADEMARK OFFICE

5068-1-1

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 20, 2004

PTAS

SHRIDAN ROSS P.C.
DENNIS J. DUPRAY
1560 BROADWAY, SUITE 1200
DENVER, CO 80202-5141

RECEIVED

JAN 27 2004

SHERIDAN, ROSS

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 12/24/2003

REEL/FRAME: 014218/0799
NUMBER OF PAGES: 16

BRIEF: DOCUMENT PREVIOUSLY RECORDED AT REEL 013797 FRAME 0945 CONTAINED ERRORS IN PROPERTY NUMBER 09/675,527. DOCUMENT RERECORDED TO CORRECT ERRORS ON STATED REEL.

ASSIGNOR:

INTERCALL WEB CONFERENCING, INC.

DOC DATE: 02/25/2003

ASSIGNEE:

INTERCALL, INC.
8420 WEST BRYN MAWR AVENUE, SUITE
400
CHICAGO, ILLINOIS 60631

SERIAL NUMBER: 09624902
PATENT NUMBER:

FILING DATE: 07/25/2000
ISSUE DATE:

014218/0799 PAGE 2

SEDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS